IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 4885 of 1999

Hon'ble MR.JUSTICE Y.B.BHATT

==========

1. Whether Reporters of Local Papers may be allowed to see the judgements? : YES

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the concerned Magistrate/Magistrates,Judge/Judges,Tribunal/Tribunals? : NO

RAKESH V BHATT

Versus

STATE OF GUJARAT

Appearance:

MR PJ KANABAR for Petitioner

MS HANSA PUNANI, AGP for Respondent No. 1-3

CORAM : MR.JUSTICE Y.B.BHATT

Date of decision: 03/10/2002

ORAL JUDGEMENT

1. Heard the learned counsel for the respective parties.

2. As a result of the hearing and discussion, learned counsel for the petitioner seeks permission to withdraw the present petition with liberty to apply to the concerned respondent for a fourth chance to appear at the Post-Training Examination, in accordance with the 3rd

proviso to Rule 6 of the Gujarat Non-Secretariat Clerks and Clerk-Typists (Training and Examination) Rules 1970. Accordingly the petition is permitted to be withdrawn and rule is discharged with no order as to costs.

3. It is clarified that as and when the petitioner makes such an application, the Government of Gujarat in the General Administration Department shall decide the same sympathetically, and in consultation with respondent no.3 (if considered advisable) and in consonance with the aforesaid rules.

****

ar